

Notice of Allowability

Application No.

10/087,518

Examiner

Eleni A. Shiferaw

Applicant(s)

ZELLER ET AL.

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/24/2006.
2. ☒ The allowed claim(s) is/are 1, 3-6, and 8-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 07/25/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/4/06
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. Appeal conference was held on October 4, 2006 for appeal brief filed on July 24, 2006. The appellant's claims raised 101 issues that were resolved by the agreement on the telephone interview with Ronald Reichman and primary examiner Zand Kambiz on October 4, 2006. Based on the interview, Examiner's amendment has been made for independent claims 1 and 5, and dependent claims 2 and 7 have been canceled.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ronald Reichman on October 4, 2006.

3. Claims 1 and 5 are amended as follows.

1. (Currently Amended) A computer implemented method of producing a background image representing data comprising the steps of:

producing a first encoding of the data into a first binary array;

producing a second encoding of the data into a second binary array;

representing the first binary array as a first set of modules of a first size of $n \times n$ pixels wherein each pixel is either white or black and every pixel in the module is identical to every other pixel in the module on nodes of a first lattice;

representing the second binary array as a second set of modules of a second size of $m \times m$ wherein each pixel is either white or black and every pixel in the module is identical to every other pixel in the module, which is smaller than the first size on nodes of a second lattice;

combining the first and second sets of modules and storing the combined result in a memory; and

printing the first and second sets of modules on a printing medium(~~+~~);

superimposing graphic material on the modules before printing; and

wherein the graphic material is an indicia.

2. (Canceled)

5. (Currently Amended) A computer implemented method for producing a composite image comprising the steps of:

producing a first image and a second image that embeds information in the first image;

representing information contained in the second image by a two-dimensional bar code;

filtering the two-dimensional bar code with a spreading algorithm that scrambles the information represented by the two-dimensional bar code;

splitting the bar code into an equal first part and an equal second part, wherein each first part and each second part will contain an upper portion and a lower portion such that the lower portion of the first part and the upper portion of the second part will be white or empty space;

applying a spreading algorithm that is stored in a memory to the first part and second part to scramble the information to further hide the information in the first and second parts in a manner that the spreading algorithm will move pixels in the first image and the second image so that the moved pixels will not be close together;

expanding the first and second parts over the entire image that is going to be printed; ~~and~~
printing the first and second parts over the first image to produce an image containing hidden information(;) on a printing medium; and
wherein the first image is an indicia.

7. (Canceled)

Response to Arguments

4. Appellant's arguments on the appeal brief are persuasive.

Allowable Subject Matter

5. Claims 1, 3-6, and 8-17 are allowed in light of appeal conference.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

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Allowance.”

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867.

The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

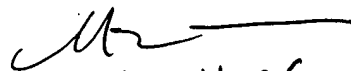
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser R. Moazzami can be reached on (571) 272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.S.

October 5, 2006

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10/11/06